

Regular Session, 2009

SENATE BILL NO. 143

BY SENATOR AMEDEE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LAW ENFORCEMENT. Provides for the employment of electronic applications for warrants and electronic signatures.

AN ACT

To enact R.S. 9:2603.1, relative to electronic transactions; to provide for the authorization and utilization of electronic applications for warrants and for electronic signatures; to provide for the electronic approval of such applications; to provide for processing of warrant applications, approvals of applications and documented returns of completed warrants for the judicial branch of state government; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2603.1 is hereby enacted to read as follows:

§2603.1. Electronic applications for all warrants; signatures; electronic judicial records

A. An application for any warrant or signature utilized by the judicial branch of state government shall not be denied legal effect or enforce ability solely because it is in electronic form. Any such application, signature or record in electronic form shall have the full effect of law.

B. If a law requires the application for any warrant to be in writing, an electronic record shall satisfy the law.

1 **C. If a law requires a signature, an electronic signature satisfies the law.**

2 **D. Unless otherwise agreed to by a sender of a warrant application and**
3 **the judiciary, an electronic record is received when:**

4 **(1) The record enters an information-processing system that the local**
5 **court rules have designated and approved for the purpose of receiving**
6 **electronic applications for warrants and from which the recipient is able to**
7 **retrieve the electronic record.**

8 **(2) It is in a form capable of being processed by the system.**

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Dennis C. Weber.

DIGEST

Present law does not authorize electronic applications and electronic approvals of warrants.

Proposed law permits law enforcement officers to submit applications for warrants electronically and authorizes the court to approve an application electronically.

(Adds R.S. 9:2603.1)